

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

WESLEY EDWARD SMITH, III,

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

C/A No.: 8:11-2033 DCN

ORDER

This matter is before the court pursuant to petitioner's Motion to Dismiss. This motion was filed on February 17, 2012. After careful review of the pleadings, it is therefore

ORDERED, that the petitioner's Motion to Dismiss is **DENIED** for lack of jurisdiction.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

June 14, 2012
Charleston, South Carolina